

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Mar 26, 2024**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Ryan Creighton Gardner Case Number: 0980 4:19CR06009-SAB-1

Address of Offender: [REDACTED], Kennewick, Washington 99336

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: June 12, 2019

Original Offense: Receipt of Child Pornography, 18 U.S.C. § 2252A(a)(2)(A),(b)(1)

Original Sentence: Prison - 60 months; Type of Supervision: Supervised Release
TSR - 120 months

Asst. U.S. Attorney: Laurel Holland Date Supervision Commenced: October 27, 2022

Defense Attorney: Nick Mirr Date Supervision Expires: October 26, 2032

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 1/9/2024, and 2/15/2024.

On October 27, 2022, a probation officer reviewed the judgment with Mr. Gardner. He stated he understood the conditions of his supervision and signed a copy of his judgment.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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3	<u>Special Condition #20:</u> You must actively participate and successfully complete an approved state-certified sex offender treatment program. You must follow all lifestyle restrictions and treatment requirements of the program. You must participate in special testing in the form of polygraphs, in order to measure compliance with the treatment program requirements. You must allow reciprocal release of information between the supervising officer and the treatment provider. You must pay for treatment and testing according to your ability.
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Supporting Evidence: Mr. Gardner is considered to be in violation of his conditions of supervised release by failing to comply with his sex offender treatment program on or before March 2, 2024.

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On March 2, 2024, the sex offender treatment provider reported Mr. Gardner to be in noncompliance with his treatment plan by failure to remain consistent with his daily treatment work, failure to abstain from the use of pornography or other materials for pornographic or sexual arousal purposes, by created computer generated images depicting over-sexualized minor females in provocative clothing and positions, to include using those images to masturbate to. Mr. Gardner failed to be open with his provider about his relapse in using inappropriate material for his sexual arousal. Mr. Gardner did not disclose his romantic pursuits, relationships, and sexual behavior with his provider, in order to process them in treatment for support in learning how to have healthy romantic relationships and sexual behavior.

Mr. Gardner was subsequently terminated from sex offender treatment on March 2, 2024.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 25, 2024

s/Maria Balles

Maria Balles
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

3/26/2024

Date